

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

DATE: February 27, 2007

SUBJECT: Reports of Significant Developments and Activities
Ending on February 16, 2007

FROM: Richard C. Karl, Director
Superfund Division

TO: Mary A. Gade
Regional Administrator

Bharat Mathur
Deputy Regional Administrator

The activities listed below are organized by site-specific activities and training/conferences:

SITE-SPECIFIC ACTIVITIES

Response, Duke Energy Corporation, Terre Haute, Indiana

On February 12, 2007, the United States Environmental Protection Agency (U.S. EPA) joined the Indiana Department of Environmental Management (IDEM) and the Indiana Department of Natural Resources (IDNR) in responding to a 4.5 mile sheen on the Wabash River. This sheen had been reported on February 11, 2007, by a citizen. Initially, IDEM and IDNR responded on February 11, 2007, and had identified the spill source as Duke's Wabash Generating Station. Duke disagreed that they were the source, but did hire an environmental contractor and deployed boom. U.S. EPA On-Scene Coordinator Verneta Simon checked various locations along the river with IDEM and issued a Notice of Federal Interest to Duke. After Duke received analytical results fingerprinting the spilled material in the Wabash as turbine oil used at their facility, they accepted responsibility. As of February 16, 2007, there is no more evidence of sheen in the Wabash and Duke has been instructed to remove their boom.

Contact: Verneta Simon (312-886-3601)

Settlement Reached, Scottdel, Inc., Swanton, Ohio

On February 8, 2007, the Agency filed a joint Administrative Complaint and Consent Agreement and Final Order (CAFO) resolving alleged violations of the Emergency Planning and Community Right-to-Know Act Section 312 against Scottdel, Inc., Swanton, Fulton County, Ohio. The penalty in the CAFO is \$37,817. Scottdel, Inc. failed to submit the Emergency and Hazardous Chemical Inventory forms to the Local Emergency Planning Committee and the local fire department for calendar years 2003 and 2004 by the March 1 reporting deadline. Scottdel, Inc., does have diphenylmethane diisocyanate and diesel oil above the reporting threshold. Scottdel, Inc., will have 30 days to pay the penalty.

Contact: James Entzminger (312-886-4062)

Settlement Reached, ISG Cleveland, Inc., Cleveland, Ohio

On February 8, 2007, the Agency filed a Consent Agreement and Final Order resolving an Administrative Complaint against ISG Cleveland, Inc., Cleveland, Ohio. The Administrative Complaint was filed on September 14, 2006, with alleged violations of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 103 with a proposed penalty of \$28,340. On April 24, 2006, at 11:00 a.m., ISG Cleveland, Inc., had a 1,271 pound release of sodium hypochlorite into the environment. Sodium hypochlorite is a hazardous substance under CERCLA with a reportable quantity of 100 pounds. This release is 12.7 times the reportable quantity (RQ). The person in charge of the facility notified the National Response Center on April 24, 2006, at 3:33 p.m. or 4 hours and 33 minutes after the release occurred. The respondent was cooperative and wanted to quickly resolve this matter. The Agency agreed to reduce the penalty by 35 percent to \$18,421. ISG Cleveland, Inc., will have 30 days to pay the penalty.

Contact: James Entzminger (312-886-4062)

RMP Inspection Conducted, BP America, Inc., Whiting, Indiana

On February 5-8, 2007, Greg Chomycia, Monika Chrzaszcz, and Ed Bordy from the Chemical Emergency Preparedness and Prevention Section conducted an inspection at BP America, Inc., in Whiting, Indiana. The facility refines crude oil into gasoline and other petroleum products. The purpose of the inspection was to review

the Risk Management Program that the facility has in place to minimize the risk to the environment and public health.

Contact: Greg Chomycia (312-353-8217)

TRAINING/CONFERENCES

First Responder Awareness Level/8 Hour Refresher Course, Melrose Park, Illinois

On February 10, 2007, Glenn Cekus of the Chemical Emergency Preparedness and Prevention Section and Ted Deeke of the Superfund Technical Assistance and Response Team (START) presented the First Responder Awareness Level/8 Hour Refresher course. The Village of Melrose Park, Division of Public Safety hosted the event. A total of 26 participants, including those from Palos Hills, Markham, and Northlake, attended the training. The instruction included use of personal protective equipment, the Emergency Response Guidebook, Emergency Planning and Community Right-to-Know Act (EPCRA), and standard operating procedures for emergency response to HAZMAT (hazardous material) releases. A test was given to the participants and those who successfully completed the course received a Certificate of Completion.

Contact: Glen Cekus (312-353-6449)

Environmental Justice Smart Enforcement Assessment Tool Training, Chicago, Illinois

On February 13, 2007, staff from the Remedial Response Branch and the Emergency Response Branch participated in an Environmental Justice Smart Enforcement Assessment Tool Training (EJSEAT) session conducted by Tinka Hyde and her staff. The purpose of the training was to introduce Superfund Division staff to a new methodology to score possible areas with potential environmental justice (EJ) concerns. Superfund Division staff were also introduced to EJSEAT indicators and a selection process. The indicators used to score a site are: social demographic, environmental, compliance, and health. The scores for each indicator are added to come up with a raw EJSEAT score.

This EJSEAT prototype provides a working definition for identifying areas with potential EJ concerns and identifies facilities that are in areas with potential EJ concerns. These areas are identified by using census tract data.

At the present time, EJSEAT is going through an internal peer review. The next steps will be external peer review, implementation and transitioning to HQ for national training, maintenance, and update.

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